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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,200	02/25/2004	Taku Ishizawa	448563/0243	2394

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EXAMINER

VO, ANH T N

ART UNIT PAPER NUMBER

2861

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/786,200

Applicant(s)

ISHIZAWA ET AL.

Examiner

Anh T.N. Vo

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16, 36, 39 and 40 is/are allowed.
- 6) ☒ Claim(s) 17, 18, 22, 25, 26, 28, 31 and 32 is/are rejected.
- 7) ☒ Claim(s) 19-21, 23, 24, 27, 29, 30, 33-35, 37 and 38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/19/04 & 10/4/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

Acknowledgement is made of the receipt of Preliminary Amendment filed 10 April 2004.

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

The references cited on PTO 1449 have been considered.

### ***Claim Rejections***

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 17 is rejected under 35 USC 102 (a) as being anticipated by Tanaami et al. (JP Pat. 2003-053984).

Tanaami et al. disclose in Figures 1-2 a liquid container comprising:

- a liquid container case (4, 5);
- a plurality of liquid storing bags (1);

Art Unit: 2861

- an outlet member (2) having a liquid outlet port and being attached to a flexible film (sheets); and
- a plurality of support parts (4, 4b) for supporting the outlet members (2) to store the liquid storing bags (1) with a part of the liquid storing bag overlapping a part of the adjacent liquid storing bag.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior arts are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18, 22, 25-26, 28 and 31-32 are rejected under 35 USC 103 (a) as being unpatentable over Tanaami et al. (JP Pat. 2003-053984) in view of Yamaguchi et al. (US Pat. 6,053,606).

Tanaami et al. disclose in Figures 1-2 a liquid container comprising:

- first and second liquid storing bags (1), each including: flexible liquid storing part having an upper surface and a lower surface, and a liquid outlet member (2) being attached to the liquid storing part and having a liquid outlet port in fluid communication with an interior of the liquid storing part (Figure 1);
- a liquid container case (4, 5) including: a base defining a bottom surface, and a first side wall (a front wall of an element 4, see Fig. 1) intersecting the base, and receiving the liquid outlet members (2) of the first and second liquid storing bags; and
- the lower surface of the liquid storing part of the second liquid storing bag partly contacts the upper surface of the liquid storing part of the first liquid storing bag and the bottom surface (Figures 1 and 2).

However, Tanaami et al. do not disclose the liquid container case comprising a first slope member defining a first slope surface inclined relative to the bottom surface, wherein: the lower surface of the liquid storing part of the first liquid storing bag partly contacts the slope surface and the bottom surface; wherein the slope member is an integral member formed on the base of the liquid container case; wherein the slope member includes a plurality of ribs, each integral with the base of the liquid container; the liquid storing bag is formed by flexible films, four sides of which are heat-welded; a second slope member defining a second slope surface substantially parallel to the first slope surface, the second slope member is located at a laterally opposite position with respect to the first slope member; and wherein the liquid container case further includes a lid member having the second slope member and being located opposite from the base.

Nevertheless, Yamaguchi et al. teach in Figures 6-8 an ink cartridge (100) comprising:

- the liquid container case (30, 135) comprising a first slope member (32, 32'') defining a first slope surface inclined relative to the bottom surface (30), wherein: the lower surface of the liquid storing part of the first liquid storing bag (10) partly contacts the slope surface (32) and the bottom surface (30) (column 6, lines 58-67);
- wherein the slope member (32, 32') is an integral member formed on the base (30) of the liquid container case (30, 135);
- wherein the slope member includes a plurality of ribs (32, 32'), each integral with the base of the liquid container (30);
- the liquid storing bag is formed by flexible films, four sides of which are heat-welded (column 4, lines 24-32).
- a second slope member (37' or 39') defining a second slope surface substantially parallel to the first slope surface of the first slope member (32), the second slope member is located at a laterally opposite position with respect to the first slope member (32) (Figures 7-8, column 6, lines 58-67 and column 7, lines 1-15); and

Art Unit: 2861

- wherein the liquid container case (30, 135) further includes a lid member (135) having the second slope member (37' or 39') and being located opposite from the base (30) (Figures 7-8).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to incorporate the teaching of Yamaguchi et al. in the Tanaami liquid container for the purpose of preventing damage to the ink bag due to shaking or accidental dropping during the distribution process (see column 2, lines 38-52 and Abstract).

#### ***Citation of Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicants disclosure. The prior art references (US Pat. 6,106,112) cited in the PTO 892 form show a liquid container that is deemed to be relevant to the present invention. These references should be reviewed.

#### ***Allowable Subject Matter***

Claims 1-16 are allowable. These claims would be allowable because none of the prior art references of record discloses a liquid container comprising at least four liquid storing bags (1) that are disposed to be shifted from each other with a part of the liquid storing bag overlapping a part of the adjacent liquid storing bag along the base of a liquid container case in an interior of the liquid container case in the combination as claimed.

Claims 19-21, 23-24, 29, 30 and 25 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. These claims would be allowable because none of the prior art references of record discloses a liquid container comprising the lower surface of the liquid storing part of the third liquid storing bag partly that contacts the upper surface of the liquid storing part of the second liquid storing bag and the bottom surface of a liquid container case; and the lower surface of the liquid storing part of the fourth liquid storing bag partly that contacts the upper surface of the liquid storing part of the

third liquid storing bag and the bottom surface of the liquid container case in the combination as claimed.

Claims 27, 33-34 and 37-38 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. These claims would be allowable because none of the prior art references of record discloses a liquid container comprising a groove extending from a first side wall of a liquid container case in a direction perpendicular to the first side wall, and being located in a region between a slope surface of a first slope member of the liquid container case and a second side wall of the liquid container case that intersects the base and the first side wall of the liquid container case and that extends in the direction perpendicular to the first side wall in the combination as claimed.

Claims 36-40 are allowable. These claims would be allowable because none of the prior art references of record discloses a liquid container comprising a first side wall of a liquid container case intersecting the base of the liquid container case, and receiving liquid outlet members of first, second, third and fourth liquid storing bags so that liquid outlet ports of the first, second, third and fourth liquid storing bags are arranged in this order, wherein: an axis-to-axis distance between the liquid outlet ports of the first and second liquid storing bags is smaller than an axis-to-axis distance between the liquid outlet ports of the second and third liquid storing bags; and an axis-to-axis distance between the liquid outlet ports of the third and fourth liquid storing bag is smaller than the axis-to-axis distance between the liquid outlet ports of the second and third liquid storing bags in the combination as claimed.

### **CONCLUSION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262. The examiner can normally be reached on Tuesday to Friday from 9:00 A.M. to 7:00 P.M..

The fax number of this Group 2861 is (571) 273-8300.

  
ANH T.N. VO  
PRIMARY EXAMINER

12/06/2011